

The article was alleged to be misbranded in that the designation "Dextro Quinine," appearing upon its label, was false and misleading since the article was not quinine and was not a dextrorotatory isomer of quinine.

On August 17, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or otherwise disposed of by the marshal, as provided by law.

1141. Misbranding of Hydraphorus with Cinchona. U. S. v. 33 Bottles of Hydraphorus with Cinchona. Decree of condemnation and destruction. (F. D. C. No. 10082. Sample No. 3286-F.)

On June 17, 1943, the United States Attorney for the District of Kansas filed a libel against 33 bottles of Hydraphorus with Cinchona at Atchison, Kans., alleging that the article had been shipped in interstate commerce on or about October 13, 1942, by the Leon Chemical Co., Springfield, Mo.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of water, a small proportion of phosphoric acid, and only traces of hydrastis and cinchona.

The article was alleged to be misbranded in that the name "Hydraphorus with Cinchona," and the statement in its labeling, "This preparation contains Cinchona, Hydrastis, * * * and glycerine" were false and misleading since the article contained only traces of hydrastis and cinchona, and no glycerine.

On June 21, 1943, the owner-consignee of the product having admitted the allegations in the libel as to misbranding, judgment of condemnation was entered and the product was ordered destroyed.

1142. Misbranding of cream of tartar, powdered alum, aromatic spirit of ammonia, spirit of camphor, and sweet spirit of nitre. U. S. v. 9 Dozen Packages of Cream of Tartar, 8 Dozen Packages of Powdered Alum, 23 Dozen Bottles of Aromatic Spirit of Ammonia, 11 Dozen Bottles of Spirit of Camphor, 23 Dozen Bottles of Sweet Spirits Nitre, and 21 Dozen Packages of Cream of Tartar. Default decrees of condemnation. Products ordered destroyed with the exception of 1 lot of cream of tartar which was ordered delivered to a charitable institution. (F. D. C. Nos. 10781, 11072. Sample Nos. 35613-F, 35631-F to 35635-F, incl.)

On September 16 and November 11, 1943, the United States attorneys for the Southern District of Georgia and the Eastern District of South Carolina filed libels against the above-mentioned products, all of which were at Charleston, S. C., with the exception of 21 dozen packages of cream of tartar at Savannah, Ga., alleging that the articles had been shipped from Jacksonville, Fla., by the Crescent Sales Co., from on or about April 13, 1943, to October 8, 1943; and charging that they were misbranded.

The articles were alleged to be misbranded in that the statements appearing on the labels: (Cream of tartar) "Net Weight 1 Ounce," (powdered alum) "Net Weight 2 Ounces," and (aromatic spirit of ammonia, spirit of camphor, sweet spirit of nitre "1/2 Fluid Oz.," were false and misleading as applied to the articles, which were short-weight; and in that the labels failed to bear accurate statements of the quantity of contents.

The powdered alum was alleged to be misbranded further in that it purported to be and was represented as a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and it was not labeled as prescribed therein, since it was not labeled to indicate whether the salt was ammonium alum or potassium alum.

A portion of the cream of tartar was alleged to be misbranded further in that its container was so filled as to be misleading since the article occupied only approximately 35 percent of the total capacity of the container. The cream of tartar was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On October 28, 1943, and January 8, 1944, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed with the exception of one portion of the cream of tartar, which was ordered delivered to a charitable institution.

1143. Misbranding of chemical prophylactics. U. S. v. 955 Packages of Sentry-2-Tube (and 7 other seizure actions against similar products.) Decrees of condemnation and destruction. (F. D. C. Nos. 7809, 7811, 7952, 8035, 8039, 8073, 8074, 8085. Samples Nos. 98340-E, 98702-E, 98704-E, 16838-F, 16839-F, 16902-F, 19682-F, 19688-F, 22710-F, 22711-F.)

Between June 24 and August 17, 1942, the United States attorneys for the District of Vermont, the District of Massachusetts, the Eastern District of Pennsylvania, the District of New Jersey, and the Southern District of New